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March 7, 2025

VIA ECF

Honorable Jessica S. Allen
United States District Court
District of New Jersey
50 Walnut Street
Newark, New Jersey 07101

Re: *Nivelo, et al. v. Coffee Deluxe Deli LLC, et al.*
Civil Action No. 2:24-cv-00917-MEF-JSA

Dear Judge Allen:

We represent Plaintiffs in the above-captioned matter, and we write jointly with counsel for Defendants, Coffee Deluxe & Deli LLC and William Morocho (collectively, “Defendants”)¹, to (1) provide a status report pursuant to the Court’s January 10, 2025 Order; and (2) to request a stay of discovery until May 20, 2025 to allow the parties to discuss settlement prior to proceeding with depositions in this matter.

The parties have responded to their respective discovery requests. The parties have also resolved several discovery disputes, except for Plaintiffs’ request for Coffee Deluxe & Deli LLC’s 2024 tax returns, which Defendants are in the process of filing and expect to provide copies of the same to Plaintiffs by March 21, 2025. Depositions in this matter have not yet been conducted.

The parties are currently required to complete fact discovery by April 7, 2025 and expert discovery is due by June 20, 2025. Dkt. No. 39. However, the parties are actively discussing settlement and given that Defendants have asserted an inability to pay in this matter, the parties agree it would be prudent to hold down costs and attorneys’ fees that can otherwise be directed towards settlement.

As Defendants intend to provide additional tax returns to support their claims of inability to pay by March 21, 2025, the parties respectfully request that discovery be stayed until May 20, 2025 to allow Plaintiffs to review the tax returns Defendants claim support their inability to pay and for the parties to attempt to resolve this matter prior to expending the significant fees and costs

¹ The remaining defendants in this matter Star Coffee Shop & Deli, Inc., Maria Morocho, and Victor Morocho have not appeared in this action and are in default.

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typically associated with depositions. In the event the Court grants the parties' foregoing request, the parties will provide an update to the Court as to whether settlement efforts were successful by May 20, 2025.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Katherine Morales

Katherine Morales

Cc: All counsel of record (via ECF)

*The request is GRANTED. In light of the foregoing, the parties shall submit a joint status letter on or before 5/20/25. The 3/19/25 Telephone Status Conference is adjourned until 5/27/25 at 10:00 a.m. The parties are instructed to dial a new # 1-855-244-8681 and enter Access Code: 23024029552# at the time of the Conference.

SO ORDERED

/s/ Jessica S. Allen

Hon. Jessica S. Allen, U.S.M.J.

Date: 3/10/25